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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,607	07/17/2000	Scott Burton	SA9-99-002	5675

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT	PAPER NUMBER
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2142

DATE MAILED: 08/30/2005.

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,607

Applicant(s)

BURTON ET AL.

Examiner

Douglas B. Blair

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 and 30 is/are rejected.
- 7) ☒ Claim(s) 22-29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/22/2005 has been entered.

Response to Amendment

2. Claims 1-30 are currently pending in the application.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 21 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. As to claim 21, the limitations of “preventing a given initiator in a given web from responding to error messages from storage devices in the given web” and “allowing the given initiator to respond to error messages” contradict each other. It is suggested that these, and the other actions performed on a controller be claimed as a series of steps.

6. As to claim 30, it is rejected for the same reasons as claim 21.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

8. Claims 1-4, 7, 9-12 and 15-18 are rejected under 35 U.S.C. 102(a) as being anticipated by U.S. Patent Number 6,009,466 to Axberg et al..

9. As to claim 15, Axberg teaches a storage media including instructions for controlling a processor that, in turn, configures a computer storage network that includes a plurality of devices coupled together through full duplex bi-directional ports, each of said devices comprising at least two ports, each of said ports having at least two states, said network further comprising: an initiator coupled to said plurality of devices, wherein said initiator can issue a request for any of said ports in said plurality of devices to assume any one of said at least two states (This is inherent to any Serial Storage Architecture system.), wherein each of said ports, when in a first of said at least two states and as part of one of said plurality of devices, is able to bi-directionally communicate with another of said ports in another of the plurality of devices, wherein each of said ports, when in a second of said at least two states and as part of one of said plurality of devices, is coupled to itself by having an output thereof coupled to an input thereof (This is inherent to any Serial Storage Architecture system.), said storage media comprising: means for controlling said processor to inhibit said initiator from issuing any requests for any of said ports of said plurality of devices to assume one of said at least two states (col. 14, line 34-53, the

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process of configuring each device would inhibit the initiators.), means for controlling said processor to send data to said initiator describing a desired state for selected ports in said plurality of devices (col. 14, line 8-col. 15, line 34), and means for controlling said processor to enable said initiator to issue a request for said selected ports in said plurality of devices to assume corresponding desired states described by said data, wherein each of said desired states corresponds to one of the at least two states (col. 14, line 8-col. 15, line 34, this limitation represents the normal operation of an initiator.).

10. As to claim 16, Axberg teaches the storage media of claim 15, further comprising means for controlling said processor to receive data from said initiator describing an actual state of a given port of said selected ports (col. 14, line 8-col. 15, line 34).

11. As to claim 17, Axberg teaches the storage media of claim 16, further comprising means for controlling said processor to determine said desired state of said given port based on said actual state of said given port (col. 14, line 8-col. 15, line 34).

12. As to claim 18, Axberg teaches the storage media of claim 15, wherein said plurality of devices comprises a web, said computer network includes a plurality of webs, and each of said plurality of webs includes a respective initiator and a respective plurality of devices, each respective initiator coupled to ports for its respective subset of devices (col. 14, line 8-col. 15, line 34).

13. As to claims 1-4 and 9-12, they feature the same limitations as claims 15-18 and are rejected for the same reasons as claims 15-18.

14. As to claim 7, Axberg teaches the method of claim 1, wherein said desired state is specified by a user (col. 14, line 8-col. 15, line 34).

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. Claims 5-6, 8, 13-14, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 6,009,466 to Axberg in view of the paper "SSA: A High Performance Interface for Unparelled Connectivity" by Wilson.

17. As to claim 19, Axberg teaches the storage media of claim 15; however Axberg does not explicitly teach changing a number of webs in a network.

Wilson teaches a computer network in which a number of webs within the network can be changed (Section 1.3 Topologies).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Axberg regarding network configuration with the teachings of Wilson regarding a change the number of webs in a network because such changes allow for fault tolerance (Section 1. SSA Basics)

18. As to claim 20, Axberg teaches the storage media of claim 15; however Axberg does not explicitly teach enabling a set of initiators in a determined sequence.

Wilson teaches enabling a set of initiators in a determined sequence (section 2.3 addressing).

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It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Axberg regarding network configuration with the teachings of Wilson regarding enabling a set of initiators in a determined sequence because such a setup allows for automatic configuration (section 1. SSA Basics).

19. As to claims 5-6 and 13-14, they feature the same limitations as claims 19 and 20 and are rejected for the same reasons as claims 19 and 20.

20. As to claim 8, Axberg teaches the method of claim 1, however Axberg does not explicitly teach a network that conforms to ANSI X3T10.1.

Wilson teaches a network that conforms to ANSI X3T10.1 (SSA).

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Axberg regarding network configuration with the teachings of Wilson regarding ANSI X3T10.1 because Axberg discusses the use of SSA (first paragraph of col. 5).

Allowable Subject Matter

21. Claims 21-30 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

22. The following is a statement of reasons for the indication of allowable subject matter: the steps of preventing an initiator from responding to error messages and then sending a map to the given initiator, the map describing a desired state for each of the ports of storage devices on the given web are considered to be novel features in the field of Serial Storage Architecture networks.

Response to Arguments

23. Applicant's arguments filed 6/22/2005 have been fully considered but they are not persuasive. The applicant argues that Axberg does not teach the limitation of inhibiting an initiator from making requests and sending data to the initiator describing desired state of the network ports. However, the cited portions of Axberg show the configuration of an SSA network. The process of configuring an SSA network would inhibit an initiator and set a desired state of network ports. The limitations of claims 1, 9 and 15 are broad enough to encompass the applicant's invention but any configuration process could read on these claims, including that taught by Axberg as mapped in the above rejection.

24. Newly added claims 21 and 30 clearly point out the novelty of the applicant's invention and would be allowable if the contradictions mentioned above are corrected.

Conclusion


25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3800.

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Douglas Blair



KAMINI SHAH
PRIMARY EXAMINER